



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

April 20, 2011

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Matthew Bowden, Vice President Environmental Affairs  
Alabama Power  
600 North Eighteenth Street,  
Birmingham, Alabama 35203

Dear Mr. Bowden:

On July 7, 2010 the United States Environmental Protection Agency ("EPA") and its engineering contractors conducted a coal combustion residual (CCR) site assessment at the Barry facility. The purpose of this visit was to assess the structural stability of the impoundments or other similar management units that contain "wet" handled CCRs. We thank you and your staff for your cooperation during the site visit. Subsequent to the site visit, EPA sent you a copy of the draft report evaluating the structural stability of the units at the Barry facility and requested that you submit comments on the factual accuracy of the draft report to EPA. Your comments were considered in the preparation of the final report.

The final report for the Barry facility is enclosed. This report includes a specific rating for each CCR management unit and recommendations and actions that our engineering contractors believe should be undertaken to ensure the stability of the CCR impoundment(s) located at the Barry facility. These recommendations are listed in Enclosure 2.

Since these recommendations relate to actions which could affect the structural stability of the CCR management units and, therefore, protection of human health and the environment, EPA believes their implementation should receive the highest priority. Therefore, we request that you inform us on how you intend to address each of the recommendations found in the final report. Your response should include specific plans and schedules for implementing each of the recommendations. If you will not implement a recommendation, please explain why. Please provide a response to this request by May 20, 2011. Please send your response to:

Mr. Stephen Hoffman  
US Environmental Protection Agency (5304P)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

If you are using overnight or hand delivery mail, please use the following address:

Mr. Stephen Hoffman  
US Environmental Protection Agency  
Two Potomac Yard  
2733 S. Crystal Drive  
5<sup>th</sup> Floor, N-237  
Arlington, VA 22202-2733

You may also provide a response by e-mail to [hoffman.stephen@epa.gov](mailto:hoffman.stephen@epa.gov)

This request has been approved by the Office of Management and Budget under EPA ICR Number 2350.01.

You may assert a business confidentiality claim covering all or part of the information requested, in the manner described by 40 C. F. R. Part 2, Subpart B. Information covered by such a claim will be disclosed by EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when EPA receives it, the information may be made available to the public by EPA without further notice to you. If you wish EPA to treat any of your response as “confidential” you must so advise EPA when you submit your response.

EPA will be closely monitoring your progress in implementing the recommendations from these reports and could decide to take additional action if the circumstances warrant.

You should be aware that EPA will be posting the non-CBI portions of the report for this facility on the Agency website shortly.

Given that the site visit related solely to structural stability of the management units, this report and its conclusions in no way relate to compliance with RCRA, CWA, or any other environmental law and are not intended to convey any position related to statutory or regulatory compliance.

If you have any questions concerning this matter, please contact Mr. Hoffman in the Office of Resource Conservation and Recovery at (703) 308-8413. Thank you for your continued ongoing efforts to ensure protection of human health and the environment.

Sincerely,  
/Suzanne Rudzinski/, Director  
Office of Resource Conservation and Recovery

Enclosures

Enclosure 2  
Barry Recommendations

Based on the findings of our visual inspection and review of the available records for the Barry Ash Pond, O'Brien & Gere recommends that Plant Barry continue with the inspection and maintenance program in place, and additional maintenance of the embankments be performed to correct the miscellaneous deficiencies cited in the most recent Southern Company Hydro Services Group inspection.

**6.1. URGENT ACTION ITEMS**

None of the recommendations are considered to be urgent, since the issues noted above do not appear to threaten the structural integrity of the dam in the near term.

**6.2. LONG TERM IMPROVEMENT**

The deficient conditions observed during the inspection do not require immediate attention, but should be addressed in the near future as part of a regular maintenance plan.

**6.3. MONITORING AND FUTURE INSPECTION**

O'Brien & Gere recommends continued participation in annual inspections performed by Southern Company's Hydro Services Group as well as the weekly and monthly inspections performed by Plant Barry personnel. Since standing water from the river and wetlands in East Dike area make it difficult to assess whether or not seepage is coming from the dam, we recommend that the inspector(s) pay special attention when performing the monthly toe of slope inspections in this area to look for sediment in the water or discoloration that may indicate a potential for loss of embankment material. O'Brien & Gere also recommends that the inspection procedures in the Southern Company's *Safety Procedure for Dams and Dikes* continue to be followed, and that the document be updated as new Federal, State and Local rules and regulations are implemented.

**6.4. TIME FRAME FOR COMPLETION OF REPAIRS/IMPROVEMENTS**

Based on our conversations with representatives of Alabama Power the maintenance/repair items noted above are currently underway and being implemented without delay. We recommend that the owner continue toward this schedule as planned.